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CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Call et al.

Attorney Docket No: MESO0070

Serial No: 10/791,189

Group Art Unit: 1743

Filed: March 1, 2004

Examiner: Douglas, Katherine L.

Title: BIOLOGICAL ALARM

PRELIMINARY AMENDMENT & ELECTION TRANSMITTAL LETTER

Bellevue, Washington 98004

January 17, 2006

TO THE COMMISSIONER FOR PATENTS:

A. Election Transmittal

Transmitted herewith is an election and preliminary amendment in the above-identified patent application.

☒ 1. No additional claim fee is required, as shown below.

☐ 2. The claim fee has been calculated, as shown below.

☐ 3. Check No. _____ in the amount of \$____ is enclosed to cover the fee(s) shown below.

B. Request for Constructive Petition for Extension of Time

It is requested that any concurrent or future reply submitted in the present application requiring a petition for an extension of time under 37 CFR 1.136(a)(3) for timely submission be treated as incorporating a petition for extension of time for the appropriate length of time. It is also requested that any additional required fees under § 1.17, including all required extension of time fees, be charged to Deposit Account No. 01-1940, thereby constructively petitioning for any necessary extension of time to maintain the present application in a pending state.

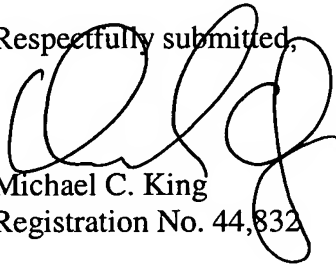
<u>Computation of Fee For Claims as Amended</u>					
	<u>Claims Remaining after Amendment</u>	<u>Highest Number Previously Paid For</u>	<u>Present Extra</u>	<u>Rate</u>	<u>Additional Fee</u>
Total Claims	27	28	-0-	x \$25	\$ -0-
Independent Claims	5	5	-0-	x \$100	-0-
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ <u>0</u>

C. Additional Fee Charges or Credit for Overpayment

Please charge any additional fees or credit any overpayment to Deposit Account No. 01-1940.

A copy of this sheet is enclosed.

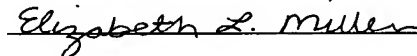
Respectfully submitted,


Michael C. King
Registration No. 44,832

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on January 17, 2006.

Date: January 17, 2006


Elizabeth L. Miller



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PRELIMINARY AMENDMENT &
ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Bellevue, Washington 98004

January 17, 2006

TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:

In response to the Office Action dated December 14, 2005, in which the Examiner issued a Restriction in the above-identified patent application, applicants hereby elect the claims of Invention II as defined by the Examiner, and further respectfully request that the above-identified application be amended as set forth below, and ask the Examiner to reconsider the restriction and the application in view of these amendments and the Remarks that follow. The claims are amended as set forth below.